

5. As these statutes require court approval for waiver, the parties request that the court enter an order approving their agreement to dispose of this matter through settlement.

6. The parties will submit the settlement agreement to the court for review.

7. The plaintiff's claims are disputed by defendants and the parties believe it is in their mutual best interest to resolve this case.

8. Upon approval of the settlement by the court, the parties stipulate pursuant to Fed.R.Civ.P.41 to the dismissal of this action without prejudice which shall automatically convert to a dismissal with prejudice and without costs on June 30, 2018.

WHEREFORE, the parties respectfully request entry of an order approving the settlement of this action and then dismissing this action without prejudice, which shall automatically convert to a dismissal with prejudice and without costs on June 30, 2018 pursuant to the stipulation of the parties.

Respectfully submitted,

By: /s/ John Kunze

One of the attorneys for Plaintiff

By:  6/12/2017

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